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IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION

UNITED STATES OF AMERICA : CASE NO. 1:09CR207

Plaintiff:

-VS-

: ORDER ACCEPTING PLEA AND

ELED ANYOSA-MALDONADO : <u>JUDGMENT AND NOTICE OF HEARING</u>

Defendant :

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Greg White regarding the change of plea hearing and plea of Eled Anyosa-Maldonado which was referred to the Magistrate Judge with the consent of the parties.

On 6 May 2009, the government filed a one-count indictment against Eled Anyosa-Maldonado for illegal reentry following deportation in violation of 8 U.S.C. § 1326. On 18 May 2009, a hearing was held in which Eled Anyosa-Maldonado entered a plea of not guilty before Magistrate Judge David S. Perelman. On 29 June 2009, Magistrate Judge White received Eled Anyosa-Maldonado's plea of guilty and issued a Report and Recommendation ("R&R")

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concerning whether the plea should be accepted and a finding of guilty

entered.

Neither party submitted objections to the Magistrate Judge's R&R in the

ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted.

Eled Anyosa-Maldonado is found to be competent to enter a plea. He

understands his constitutional rights. He is aware of the charges and of the

consequences of entering a plea. There is an adequate factual basis for the

plea. The Court finds the plea was entered knowingly, intelligently, and

voluntarily. The plea is approved.

Therefore, Eled Anyosa-Maldonado is adjudged guilty of Count One in

violation of 8 U.S.C. Section 1326.

Sentencing will be:

15 September 2009 at 9:30 a.m.

Courtroom 19-A

19th Floor, United States District Court 801 West Superior Avenue

Cleveland, Ohio 44113

IT IS SO ORDERED.

Dated: 11 September 2009

/s/Lesley Wells_

UNITED STATES DISTRICT JUDGE

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